

In re ) Fair Hearing No. 20,624  
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Appeal of )

The petitioner appealed a decision of the Department for Children and Families, Health Access Eligibility Unit (HAEU) terminating his Vermont Health Access Program (VHAP) benefits. The issue is whether the petitioner's income exceeds the program maximum.

1. The petitioner qualified for VHAP benefits after becoming unemployed and having no income. The petitioner started to receive unemployment compensation in the amount of \$375 per week starting October 6, 2006. Based on petitioner's receipt of unemployment compensation, the Department determined that the petitioner was over income for VHAP and sent petitioner a notice terminating his benefits November 30, 2006. Petitioner filed a timely appeal.

2. At the hearing held on December 1, 2006, petitioner did not dispute the Department's determination that his

countable monthly income of \$1,612.50 exceeded the VHAP monthly maximum of \$1,232 for a household of one.

3. The petitioner was advised to contact his caseworker to determine eligibility for other programs that can help with pharmacy costs.

ORDER

The Department's decision is affirmed.

REASONS

Under the VHAP regulations, all unearned income including unemployment compensation is included as countable income for eligibility. W.A.M. 4001.81(b). There is no dispute that as of the date of the closure of his VHAP eligibility, petitioner had countable income in excess of the maximum for eligibility under the VHAP program for a one-person household which is \$1,232. P-2420B. In conclusion, the Department's finding that petitioner is ineligible for VHAP based on a change in his countable income must be affirmed. 3 V.S.A. § 3091(d), Fair Hearing Rule No. 17.

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